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OFFICE OF PETITIONS

In re Application of	:	
Shaolin Li	:	
Application No. 10/820,962	:	DECISION ON RENEWED PETITION
Filed: April 7, 2004	:	UNDER 37 C.F.R. §1.47(b)
Attorney Docket No. 012.P3003	:	
Title: METHOD OF SECURE	:	
COMMUNICATIONS IN A WIRELESS	:	
DISTRIBUTION SYSTEM	:	

This is in response to the renewed petition under 37 CFR §1.47(b)¹, filed January 18, 2005.

The above-identified application was filed on April 7, 2004. On June 21, 2004, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (Notice), requiring an executed oath or declaration in compliance with §1.63 and a surcharge for its late filing. This Notice set a two-month period for reply.

In reply, applicant filed the original petition on August 27, 2004, along with the surcharge, a statement of the last known address of the inventor, a statement that a complete copy of the application was sent to the non-signing inventor, and a copy of the inventor's employment agreement.

¹ 1 A grantable petition under 37 CFR §1.47(b) requires:

- (1) The petition fee;
- (2) a surcharge if the petition was not filed at the time of filing of the application;
- (3) a statement of the last known address of each of the non-signing inventors;
- (4) proof that a copy of the application was sent or given to each of the non-signing inventors for review;
- (5) proof that each of the non-signing inventors refused to sign;
- (6) proof that the Rule 47(b) applicant has sufficient proprietary interest in the subject matter to justify the filing of the application;
- (7) proof of irreparable damage, and;
- (8) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116 and 37 CFR §1.63.

The original petition was dismissed via the mailing of a decision on October 13, 2004, for failure to meet requirements (6) – (8) above.

With this renewed petition, Petitioner has submitted a declaration of facts from one J. Nicholas Gross and a declaration which has been executed by the assignee which satisfy requirements (6) – (8) above.

As such, the petition under 37 C.F.R. §1.47(b) is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be returned to the Office of Initial Patent Examination for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



Paul Shanowski
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United States Patent and Trademark Office